



## **Report to the Legislature**

# **Decline of Youth in Police Custody**

RCW 74.13.036(5)

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## **DECLINE OF YOUTH IN POLICE CUSTODY**

**DECEMBER 2001 – NOVEMBER 2002**

RCW 74.13.036 (5) requires the Department of Social and Health Services to submit a report to the legislature on the number of times the department has declined placement of a youth in police custody.

*Since the last update in December 2001, there has only been one reported instance where the Children's Administration (CA) Division of Children and Family Services (DCFS) declined to accept custody of a youth from law enforcement.* The following table outlines the date, place and reason the department declined to accept custody and the date and place when the youth was released without placement:

<b>DATE</b>	<b>DCFS OFFICE</b>	<b>REASON FOR DECLINE</b>	<b>DATE/PLACE WHERE CHILD WAS RELEASED</b>
4/10/02	Seattle South	Youth's violent behavior.	Seattle South staff encouraged Law Enforcement to transport youth home unless behavior justified arrest.

The Family Reconciliation Act, RCW 13.32A, outlines procedures to be followed when responding to families in conflict. RCW 13.32A.060 (1) (c) specifically addresses the role of law enforcement and the Department of Social and Health Services (DSHS) when law enforcement takes a child into custody.

Current departmental policy for youth taken into custody by law enforcement is to attempt to locate the parent and offer Family Reconciliation Services whenever possible. When this is not an option, the staff will take the necessary steps to place the child in a Crisis Residential Center or other suitable placement. If the parent(s) refuse to have the child home and there are no placement options available within the department, the worker will assist the police in exploring alternative placement considerations with the youth. If these efforts are unsuccessful, the child is then released by law enforcement, which notifies the department.

This procedure was widely publicized, in 1995, among DSHS CA staff with specific training offered regarding the decline policy. On November 1, 1996, the policy was formalized and distributed as a revision to the CA manual to all staff and particularly those staff members responsible for adolescent and intake services.